4th Election District

* DEPUTY ZONING COMMISSIONER

3rd Councilmanic District * Case No. 93-68-A Stephen M. Dansicker, et ux Petitioners

> FINDINGS OF FACT AND CONCLUSIONS OF LAW

* FOR BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Stephen M. and Diane A. Dansicker. The Petitioners request relief from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and from Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit open porch setbacks of 4 feet and 7 feet in lieu of the required 11.25 feet and to amend the Final Development Plan for a proposed wood deck in accordance with Petitioner's Exhib-

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 36-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or generat welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of October, 1992 that the Petition for Administrative Variance requesting relief from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and from Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit open porch setbacks of 4 feet and 7 feet in lieu of the minumum required 11.25 feet and to amend the Final Development Plan for a proposed wood deck, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TMK:bjs

TIMOTHY M. MOTROCO Deputy Zoning Commissioner for Baltimore County

in support of Affidavit Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 25 Romney Court

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

Variance at the above address: (indicate hardenip or practical difficulty)

1. When we purchased the house, we were told by the realtor we should build the deck after moving in to reduce expenses not knowing there - Was a soning variance required. The door from the sun room and kitchen ade 3.51 to 81 above the existing ground and we cannot use these doors. The proposed deck face the side of the next lot which has no windows in the side well. The deck was always planted with

the sun room and kitchen doors opening on the dock. If we had been aware of the zoning problem, we would have made the builder add the dack. That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made outh in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Fred La 9.8

Paul Lee Engineering Inc. 410-821-5941

#25 Romney Court

Election District 4C3 Baltimore County, Maryland

Beginning for the same at a point located on the west side of Romney Court, said point also being located Northeasterly 582 feet [±] from the intersection with the center of Owings Mill Boulevard; thence binding on the west side of Romney Court by a curve to the right (1) R = 50.00 feet, L = 50.73 feet, thence leaving said west side of Romney Court, (2) N $35^{\circ}05^{\circ}09^{\circ}$ E - 84.19 feet, thence (3) N $55^{\circ}18^{\circ}58^{\circ}$ W - 82.01 feet, thence (4) S 29°19'52" W - 118.71 feet and (5) S 46°16'39" E 44.95 feet to the west side of Romney Court and point of beginn-

Containing 0.1972 Acres (8,590 s.f.) of land more



7-23-92

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

October 6, 1992

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

Mr. & Mrs. Stephen M. Dansicker 25 Romney Court Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE W/S Romney Court, 582' N of the c/l of Owings Mills Boulevard (25 Romney Court) 4th Election District - 3rd Councilmanic District Stephen M. Dansicker, et ux - Petitioners Case No. 93-68-A

Dear Mr. & Mrs. Dansicker:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

able, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Muthy 16 trow TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

Date of Posting_9/5/92

cc: Mr. Paul Lee 304 W. Pennsylvania Avenue, Towson, Md. 21204 People's Counsel

Stoppen + Dions Donsike

Location of property: W/s farm May Ct. (25) 5721 N/auring Mith Blad

Location of Signer Focing roadway, one fre forty of Patition

File

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 25 Rom Ney COURT which is presently sensed DR 3.5 This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 301.1 (BCZR) & V.B.C.L. (CMDP)

TO PERMIT AND OPEN PORCH SETBACK OF \$'17' IN LIEU OF THE PERSIRED 11. W'SETBACK A VARIANCE OF 7.519 4.51 AND TO AMEND FWAL DEVELOPMENT PEAN TO ALLOW PLONELTON of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardehip or practical difficulty)

Existing doors from the sun room and kitchen are located 3.5° to 8° above the existing ground at the rear of the house. The builder did not build deck on the house or tell us that we would need a soning veriance to do so. We can not use the doors from the two rooms since they are so high of the ground and it creates a safety problem of someone trying to

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or ive, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

	Contract Purchaser/Lessee			-/We do solemnly declare and affirm, under the penalties of perjuny that lowe are the legal owner(s) of the property which is the subject of this Pertugal Legal Owner(s).		
	(Type or Print Name)	<u>-</u>		Type or Print Name;		
	Signature		······································	Significant M. Learn Chi		
	Address		····	Type crayint Name, A Division Ke		
	City Attorney for Petitioner	State	Zipcode	Signature and Afficiently		
	(Type or Print Name)			Address P. 27115 1 Control Phone Nr.		
	Signature	·		City State Zipcode Name Address and phone number of legal owner contract purchaser or representative to be contacted		
age of	Address Phone No		No	Name		
77	City	State	Zipcode	Address Phone No		
Safe	A Public Hearing having been that the subject matter of this policy circulation throughout Baltimo	requested and/or found betition be set for a pub re County, and that the	d to be required. If is order lic hearing, advertised, a property be reposted	red by the Zoning Commissioner of Baltimore County, thisday of		
⊸ i 00				Zoning Commissioner of Baltimore County		

8/31/92

93-68-A PAID PER HAND WRITTEN RECEIPT DATED 8/27/92

Account:	R-001-615
Number	

PUBLIC HEARING FEES 010 -ZONING VARIANCE (IRL) \$50.00 080 -POSTING SIGNS / ADVERTISING 1 X \$35.00

Please Make Checks Payable To: Baltimore County



25 Romney Court 582 N& Owings Level Block

BA COO1:34PMO8-27-92

In the event any party finds the decision rendered is unfavor-

Very truly yours,

H9300076

LAST NAME OF OWNER: DANSICKER

County Office Building

Office of Zoning Administration and Development Management Office of Planning & Zoning

September 19, 1992

MILLINOTE COUNTY GOVERNMENT

(410) 887-3353

09/14/92

9/8/92

Mr. & Mrs. Stephen M. Dansicker

RE: Item No. 76, Case No. 93-68-A Petitioner: Stephen M. Dansicker, et ux Petition for Administrative Variance

Dear Mr. & Mrs. Dansicker:

25 Romney Court

Owings Mills, MD 21117

111 West Chesapeake Avenue

Towson, MD 21204

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Printed on Recycled Paper

DPW/Traffic Engineering

John Dietsch

Happy Hollow Associates

Stephen M. and Diane A. Dansicker

Edward L. and Francine M. Wickman

Charles W. Berg And Willie D. Graves

Daniel W. and Evelyn J. Eckert

Edward K. and Diana J. Hensler

Marvin and Hild Zentner and Amir Aviram

DED DEPRM RP STP TE

Leonard Stoler

Edward and Ceola Wright

File Number

Development Review Committee Response Form

Waiver Number

Stonegate at Patapsco (Azreal Property)

ZON DED TE (Waiting for developer to submit plans first)

Golden Ring Mall Company Limited Partnership

Authorized signature _____ Date ____

DED DEPRM STP RP TE

DED DEPRM RP STP TE

Zoning Issue

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 27th day of August, 1992

Baltimore County Government

Office of Zoning Administration and Development Management Office of Planning & Zoning

Petitioner: Stephen M. Dansicker, et ux Petitioner's Attorney:

Printed on Recycled Pape

Baltimore County Government 4/10/41 Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

SEPTEMBER 9, 1992

7948-92

Leonard Stoler

Edward and Ceola Wright

Edward K. and Diana J. Hensler

Marvin and Hild Zentner and Amir Aviram

DED DEPRM RP STP TE

COUNT 11

ED DEPRM RP STP TE No Connect

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: STEPHEN M. DANSICKER AND DIANE A. DANSICKER Location: **#25 ROMNEY COURT**

Item No.: *76 (LJG) Zoning Agenda: SEPTEMBER 8, 1992 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Special Inspection Division

JP/KEK

DPW/Developers Engineering Division (Public Services) 09/14/92 Project Name File Number Waiver Number Zoning Issue Meeting Date Stonegate at Patapsco (Azreal Property) 6-1-92 ZON DED TE (Waiting for developer to submit plans first) COUNT 1 Golden Ring Mall Company Limited Partnership 9/8/92 DED DEPRM RP STP TE John Dietsch DED DEPRM RP STP TE Happy Hollow Associates Commal DED DEPRM STP RP TE Stephen M. and Diane A. Dansicker DED DEPRM RP STP TE Edward L. and Francine M. Wickman DED DEPRM RP STP TE Charles W. Berg And Willie D. Graves DED DEPRM RP STP TE Daniel W. and Evelyn J. Eckert DED DEPRM RP STP TE ______ Leonard Stoler (muer DED DEPRM RP STP TE Edward and Ceola Wright DED DEPRM RP STP TE Edward K. and Diana J. Hensler DED DEPRM RP STP TE Marvin and Hild Zentner and Amir Aviram

BALTIMORE	COUNTY, MARYLAND					
INTER-OFFICE CORRESPONDENCE						

Arnold Jablon, Director Zoning Administration and Development Management

DATE: September 10, 1992

Ervin Mc Daniel, Chief Development Review Section

Petitions from Zoning Advisory Committee September 8, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Terry and Joan Greenwood, Item No. 58 John Dietsch, Item No. 61 / Stephen and Diane Dansicher, Lean No. 16 Edward and Francine Wickman, Item No. 77 Charles Berg and Willie Graves, Item No. 78 Edward and Ceola Wright, Item No. 81

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by:	
Division Chief:	
EMcD/FM: rdn	

ITEM58+/ZAC1

			Baltimore Co Office of Zon and Develop Office of Pl
D	Development Review Committee Response Form	111 West Chesapeake Avent Towson, MD 21204	ue Septembe
, Fi	Project Name le Number Waiver Number Zoning Issue Meeting Date	Stephen and Diane Dansi	cker
V DE	Golden Ring Mall Company Limited Partnership D DEPRM RP STP TE No Comment 9/8/92	25 Rowney Court Owings Hills, Haryland	21117
DEI	John Dietsch D DEPRM RP STP TE Lo Comment	25 B	8-1 Romney Court, 582' N of c/l Owings comney Court Election District - 3rd Councilman
j/ DEI	Happy Hollow Associates D DEPRM STP RP TE	Dear Petitioner(s):	
i/ DEI	Stephen M. and Diane A. Dansicker D DEPRM RP STP TE	number. Any contact	that your Petition for Administrat made with this office should r administrative process.
/	Edward L. and Francine M. Wickman DEPRM RP STP TE	1992. The closing da the closing date, the f	will be posted on or before Septem te is the deadline for a neighborile will be reviewed by the Zoning
i /	Charles W. Berg And Willie D. Graves	that the matter be set	s Order may (a) grant the requeste in for a public hearing. You will granted, denied, or will go to pub
DEC	D DEPRM RP STP TE O Connect Daniel W. and Evelyn J. Eckert	Commissioner), the prop	uiring public hearing (whether erty will be reposted and notice of reposting and advertising are pays
DED	DEPRM RP STP TE No Comment		vised that you must return the si

ounty Government ing Administration oment Management lanning & Zoning

ber 2, 1992

(410) 887-3353

s Mills Boulevard

ive Zoning Variance has been assigned the above case eference the case number. This letter also serves as a

ed relief, (b) deny the requested relief, or (c) demand receive written notification as to whether or not

due to a neighbor's formal request or by Order of the able by the petitioner(s).

Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Zoning Commissioner, Baltimore County













